

COUNTY COUNCIL

Mel Rapozo, Chair
Ross Kagawa, Vice Chair
Mason K. Chock
Gary L. Hooser
Arryl Kaneshiro
KipuKai Kualii
JoAnn A. Yukimura



OFFICE OF THE COUNTY CLERK

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MEMORANDUM

September 8, 2016

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Mel Rapozo, Council Chair *MR*
RE: **SEPTEMBER 7, 2016 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its September 7, 2016 Council Meeting:

CONSENT CALENDAR:

C 2016-186 Communication (08/08/2016) from the Director of Liquor Control, transmitting for Council information, changes to the fee structure of the Rules & Regulations of the Liquor Control Commission, and pursuant to Hawai'i Revised Statutes (HRS) Section 281-17.5, requesting Council approval of Rule 2.8, Rule 3.11, Rule 4.1, and Rule 4.7. ***(Received for the Record.)***

C 2016-187 Communication (08/15/2016) from the Director of Finance, transmitting for Council information, the Inventory Report for the Fiscal Year Ending June 30, 2016. ***(Received for the Record.)***

COMMUNICATIONS:

C 2016-188 Communication (08/23/2016) from Councilmember Yukimura, transmitting for Council consideration, a Resolution Amending Resolution No. 2015-02, Draft 1, And Resolution No. 2015-62, Relating To The Rules Of The Council Of The County Of Kaua'i For The Organization Of Committees And The Transaction Of Business, to allow members of the public a total of eighteen (18) minutes at the beginning of the agenda of any Council or Committee meeting to speak on any agenda item; and allows for public speaking per Rule No. 11(c)(8) to come as the first order of business after the roll call and the approval of the agenda and minutes. ***(Received for the Record.)***

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C 2016-189 Communication (08/04/2016) from the Director of Finance, requesting Council approval to accept and expend the appropriations in the total amount of \$5,700,000.00 provided to the County of Kaua'i in the Supplemental Appropriations Act of 2016 – Act 124, Session Laws of Hawai'i 2016 from the State of Hawai'i, for Appropriation Warrant No. 222 for the following projects:

- Adolescent Treatment & Healing Center - \$5,000,000.00; and
 - Kaua'i Veteran's Cemetery Renovation - \$700,000.00.
- (Approved.)***

C 2016-190 Communication (08/08/2016) from the Planning Director, transmitting the Planning Commission's recommendation to amend Chapter 8, Kaua'i County Code 1987, as amended, to allow multiple family dwelling units in all residential zoning districts. ***(Received for the Record.)***

C 2016-191 Communication (08/18/2016) from the County Attorney, requesting authorization to expend funds up to \$50,000.00 for Special Counsel services to represent the County of Kaua'i Housing Agency before the State of Hawai'i Land Use Commission in order to file a 201H-38 Petition for the Lima Ola Workforce Housing Project (Resolution No. 2016-53), and related matters. ***(Approved.)***

C 2016-192 Communication (08/22/2016) from the Director of Economic Development, transmitting for Council consideration, proposed amendments to Ordinance No. B-2016-812, as amended, relating to the Operating Budget of the County of Kaua'i, for the Fiscal Year 2016-2017, by revising the amounts estimated in the General Fund, to fund security services for certain community events on Kaua'i. *(Office of Economic Development, Grant In Aid (Special Events Security) – \$53,773.00)* ***(Received for the Record.)***

C 2016-193 Communication (08/22/2016) from the Director of Finance, transmitting for Council consideration, proposed amendments to Section 2, Ordinance No. 891, relating to Authorizing the Issuance of General Obligation Bonds of the County of Kaua'i for the Purpose of Financing Certain Bonds of the County; Fixing or Authorizing the Fixing of the Form, Denominations, and Certain Other Details of Such Bonds and Providing for the Sale of Such Bonds to the Public, to account for the current Capital Improvement Projects that were not originally cited in the initial bond issuance. ***(Received for the Record.)***

C 2016-194 Communication (08/22/2016) from the Director of Finance, requesting Council approval to dispose of the following government records, pursuant to Hawai'i Revised Statutes (HRS) Section 46-43 and Resolution No. 2008-39 (2008) as amended, which have been kept for over seven (7) years and are no longer of use or value:

- Contract Folders (Fiscal Year (FY) 2004 to FY 2005)
 - Purchase Orders (FY 2007 to FY 2009)
 - Procurement Work Folders: Request for Proposal (RFP) (C4056) (FY 1993), RFP P0088 (FY 2005), Exempt RFP X-20 (FY 2005), IFB (#2872-#2936) (FY 2005)
 - Professional Services – Exempt: X7-PROF-05/06 thru X8-PROF-07/08 (FY 2006 to FY 2008)
 - Documentation for: Sole Source Procurement FY 2005/2006 – FY 2007/2008 (FY 2006 to FY 2009), Exempt Procurement FY 2004/2005 – FY 2007/2008 (FY 2005 to FY 2009), Emergency Purchase FY 2005/2006 to FY 2007/2008 (FY 2005 to FY 2009)
 - Logs: Certified Mail and Professional Services (FY 2008 & Older)
 - Written Informals (FY 2009)
 - Auction: Auction Documents (FY 2007 to FY 2009)
 - State Price Lists (Various)
 - Accounts (FY 2009)
 - Trust Fund (FY 2009)
- (Approved.)***

C 2016-195 Communication (08/24/2016) from the County Attorney, requesting authorization to expend funds up to \$20,000.00 for Special Counsel's continued services provided in County of Kaua'i vs. Hanalei River Holdings, Ltd., et al., Civil No. 11-1-0098 JRV (Condemnation), Fifth Circuit Court, and related matters. ***(Approved.)***

C 2016-196 Communication (08/30/2016) from the Acting County Engineer, requesting Council approval to submit an application and indemnify the State of Hawai'i Department of Education for use by the Department of Public Works of the King Kaumuali'i Elementary School Cafeteria to conduct a public meeting. ***(Approved.)***

LEGAL DOCUMENT:

C 2016-197 Communication (08/08/2016) from the Mayor, recommending Council approval of a Dedication Deed from Makaleha Gardens LLC, conveying roadway widening lots to the County of Kaua'i for roadway widening purposes, Subdivision of Lot 71-A Being all of Grants 7517 and S-14707 Kapa'a Homesteads First Series into Lots 1 to 6, Inclusive, Roadway Widening Lots A & B, Kapa'a, Kawaihau, Kaua'i, Hawai'i, Tax Map Key (TMK) No. (4) 4-6-06:17, 19, and 20 (por.).

- Dedication Deed
(Approved.)

CLAIM:

C 2016-198 Communication (08/09/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Stephen Lucas, for damage to his property, pursuant to Section 23.06, Charter of the County of Kaua'i. *(Referred to the County Attorney's Office for disposition and/or report back to the Council.)*

COMMITTEE REPORTS: APPROVED.

RESOLUTIONS:

Resolution No. 2016-55 – RESOLUTION RELATING TO INCREASES IN THE LIQUOR LICENSE FEE STRUCTURE *(Approved.)*

Resolution No. 2016-56 – RESOLUTION AMENDING RESOLUTION NO. 2015-02, DRAFT 1, AND RESOLUTION NO. 2015-62, RELATING TO THE RULES OF THE COUNCIL OF THE COUNTY OF KAUAI FOR THE ORGANIZATION OF COMMITTEES AND THE TRANSACTION OF BUSINESS *(Received for the Record.)*

BILL FOR FIRST READING:

Proposed Draft Bill (No. 2634) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, TO ALLOW MULTIPLE FAMILY DWELLING UNITS IN ALL RESIDENTIAL ZONING DISTRICTS *(Kaua'i County Council, Applicant) (Approved as Amended on 1st reading, Public Hearing scheduled for October 5, 2016, and referred to the Planning Committee.)*

Proposed Draft Bill (No. 2637) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2016-812, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND *(Office of Economic Development, Grant In Aid (Special Events Security) – \$53,773.00) (Approved as Amended on 1st reading, Public Hearing scheduled for October 5, 2016, and referred to the Budget & Finance Committee.)*

Proposed Draft Bill (No. 2638) – A BILL FOR AN ORDINANCE TO AMEND SECTION 2, ORDINANCE NO. 891 AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF KAUAI FOR THE PURPOSE OF FINANCING CERTAIN PUBLIC IMPROVEMENTS AND REFUNDING CERTAIN BONDS OF THE COUNTY; FIXING OR AUTHORIZING THE FIXING OF THE FORM, DENOMINATIONS, AND CERTAIN OTHER DETAILS OF SUCH BONDS AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE PUBLIC *(Approved on 1st reading, Public Hearing scheduled for October 5, 2016, and referred to the Budget & Finance Committee.)*

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Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memorandum presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: KCT Department Heads (*Via E-mail*)
KCT CCs (*Via E-mail*)
Council Services Staff (*Via E-mail*)